



# Town of Merrimack, New Hampshire

Community Development Department

6 Baboosic Lake Road

Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

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## **Memorandum**

**Date:** March 23, 2022

**To:** Richard Conescu, Chair, & Members, Zoning Board of Adjustment

**From:** Casey Wolfe, Assistant Planner

**Subject:** **Governor's Hill Corp (petitioner/owner)** – Variance under Section 3.02 of the Zoning Ordinance to permit construction of a single-family dwelling approximately 32 feet from the front lot line whereas 50 feet is required. The parcel is located at 33 Constance Street in the R-1 (Residential, by soils) District. Tax Map 6D, Lot 136. Case # ZBA 2022-06.

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The following information is provided to aid in your consideration of the above referenced case. Additional background and application materials are included in your packet.

### **Background**

The subject property comprises approximately 0.621 acres and is located in the R-1 (Residential, by soils) District. The property is surrounded by residential development. The site is serviced by private septic and water by Merrimack Village District.

The petitioner seeks to construct a single-family dwelling approximately 32 feet from the front lot line whereas 50 feet is required. In June 2020, the Board approved multiple variances for this non-conforming lot to change its configuration to allow for a "land swap" with 31 Constance Street. By altering the configuration of the lot, the proposed house must meet the R-1 structural setbacks rather than the less stringent non-conforming setbacks.

### **Standard of Review**

It is the burden of the petitioner to demonstrate that the five criteria for the granting of the variance under Section 3.02 of the Zoning Ordinance to permit construction of a single-family dwelling approximately 32 feet from the front lot line whereas 50 feet is required, are met.

**Ec:** Governor's Hill Corp., petitioner/owner  
Brett Allard, Esq.  
Building Department Staff  
John Manuele, Fire Marshal

**Cc:** Zoning Board File